

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2449 – HB 2438

February 25, 2014

SUMMARY OF ORIGINAL BILL: Clarifies that the person committing the offense of display of materials harmful to minors is the person responsible for displaying the visual depiction that contains material harmful to minors, which may include a retail store owner, retail store employee, distributor, supplier, or wholesaler of the material. Enhances display of materials harmful to minors from Class C misdemeanor to Class A misdemeanor.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (013109): Deletes all language after the enacting clause. Clarifies that a retail store owner, distributor, supplier, wholesaler, or an employee of such entities can be convicted of displaying material harmful to minors. Enhances display of materials harmful to minors from Class C misdemeanor to Class A misdemeanor.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the Administrative Office of the Courts, there have been no indictments under Tenn. Code Ann. § 39-17-914 in a circuit or criminal court over the past five years.
- It is assumed that increasing the classification from a Class C misdemeanor to a Class A misdemeanor will not significantly impact local incarceration costs.

SB 2449 – HB 2438

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm